



CANNON BUILDING  
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DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: DPR.DELAWARE.GOV

## THE GOVERNOR'S MAGISTRATE SCREENING COMMITTEE

### APPLICATION FOR JUSTICE OF THE PEACE (MAGISTRATE) INSTRUCTION SHEET

#### Overview of Screening Process

Justices of the Peace (Magistrates) are appointed by the Governor and confirmed by the Delaware Senate. The Governor's Magistrate Screening Committee screens applicants who wish to be considered for possible appointment. The first step in the screening process is an examination. Applicants who are selected to progress to the next step appear for an interview before the Committee.

At the conclusion of the screening process, the Committee submits a roster of recommended candidates for the Governor's consideration in the event that a Justice of the Peace vacancy occurs.

#### Justice of the Peace (Magistrate) Position

A Justice of the Peace is a full-time position entailing 8-hour rotating shifts to handle arraignments and other court proceedings on a 24-hour-a-day basis, including weekends and holidays. The initial term is four years, and the annual starting salary is \$70,750. For more information, see [Job Description](#) enclosed with this packet.

#### How to File Application

Applicants must be at least 25 years old and reside in Delaware. Submit the following:

- ☐ Fully completed and signed *State of Delaware Judicial Branch Non-Merit Employment Application - Magistrate Screening*.
- ☐ Fully completed, signed and notarized *Justice of the Peace Questionnaire*.
  - The *Questionnaire* requires four signatures and two notary seals.
- ☐ Processing fee of \$80 by check or money order made payable to "State of Delaware"
- ☐ Resume.
- ☐ Send the application, *Questionnaire*, resume and fee to:

The Governor's Magistrate Screening Committee  
Division of Professional Regulation  
861 Silver Lake Blvd., Suite 203  
Dover, DE 19904

- Applications that are incomplete, unsigned, not notarized, or submitted without the fee or resume will not be accepted.
- Applications must be postmarked **no later than August 14, 2009**. Applications postmarked after that date will be returned without further consideration.

## Examination

The next step in the screening process is a written examination. The examination will measure attributes associated with the successful performance of the duties of a magistrate, including reading comprehension, judgment and reasoning, general mental ability and critical thinking.

If your application is accepted, the Division of Professional Regulation will send you a ticket to be admitted to the examination.

The examination will be administered on Saturday, October 3, 2009, at the Sheraton Dover Hotel, 1570 North Dupont Highway, Dover, DE 19901. If you are unable to take the examination on this date, it will not be rescheduled.

### **You *must***

- **arrive no later than 8:30 a.m.**
- **bring your admittance ticket**
- **bring photo ID (e.g. driver's license).**

The examination will conclude by 1:00 p.m.

## Interview and Criminal Background Check

Following the examination, the Governor's Magistrate Screening Committee will notify applicants whether they have been selected to advance to the next step of the screening process.

*If you are selected to advance...*

- You will be required to voluntarily submit to a criminal background check at your own expense. *However, do not request a background check until notified to do so.* If requested to obtain a criminal background check, the notice will include an authorization for you to take to the Delaware State Police. The cost will be \$45.
- You will also be scheduled for an appointment to appear for an interview with the Governor's Magistrate Screening Committee. These interviews will be conducted in each county.

Following the interview, the Governor's Magistrate Screening Committee will notify each applicant whether or not it has recommended the applicant to the Governor for possible appointment to the position.

## Contact Information

For all matters pertaining to this application, use the following contact information.

Mailing Address:	The Governor's Magistrate Screening Committee 861 Silver Lake Boulevard Cannon Building, Suite 203 Dover, DE 19904
Phone:	(302) 744-4500
Email:	<a href="mailto:customerservice.dpr@state.de.us">customerservice.dpr@state.de.us</a>



# State of Delaware Judicial Branch Non-Merit Employment Application Magistrate Screening

## Human Resources Use Only

MQ'S \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_

COMMENTS: \_\_\_\_\_

RATER: \_\_\_\_\_

DATE: \_\_\_\_\_

## PERSONAL AND CONTACT INFORMATION

1. Full Name: \_\_\_\_\_  
Last First Middle Initial
2. Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip
3. Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_
4. May we call you at work? Yes ☐ No ☐ 5. Email: \_\_\_\_\_
6. Social Security Number: \_\_\_\_\_

## POSITION

7. Job applied for: MAGISTRATE
8. Location(s) applied for: ☐ New Castle ☐ Kent ☐ Sussex ☐ City of Wilmington
9. Will you accept: ☐ Permanent ☐ Temporary ☐ Full Time ☐ Part Time

## EDUCATION/TRAINING

10. Check all that apply: ☐ High School Graduate/GED ☐ Vocational/Business School ☐ College/University
11. Enter the following about your education:

COLLEGE/UNIVERSITY NAME	LOCATION	DATES ATTENDED	MAJOR/MINOR	DEGREE RECEIVED

12. List active professional, computer technology, vocational, or other skill-related licenses, certifications or training you may have.

LICENSE, CERTIFICATION, TRAINING	FIELD	SCHOOL OR ORGANIZATION THAT AWARDED	EXPIRATION DATE (IF ANY)

13. List any language(s) other than English: \_\_\_\_\_  
\_\_\_\_\_ ☐ Speak ☐ Read ☐ Write  
\_\_\_\_\_ ☐ Speak ☐ Read ☐ Write

14. Describe your computer skills: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EMPLOYMENT HISTORY

15. Enter name(s) on employment records if different than present name: \_\_\_\_\_
16. Are you employed now? Yes ☐ No ☐
17. Beginning with your current or most recent position, state your employment history. **A resume does not substitute for this section of the application. This section must be completed.**

Employer: _____
Address: _____
Supervisor: _____ Phone: _____
Employed (month & year) From: _____ To: _____ Full Time <input type="checkbox"/> Part Time <input type="checkbox"/>
Salary: Start: \$ _____ End: \$ _____
Reason for Leaving: _____
Job title(s) & duties: _____
_____
_____
_____
_____
_____

Employer: _____
Address: _____
Supervisor: _____ Phone: _____
Employed (month & year) From: _____ To: _____ Full Time <input type="checkbox"/> Part Time <input type="checkbox"/>
Salary: Start: \$ _____ End: \$ _____
Reason for Leaving: _____
Job title(s) & duties: _____
_____
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Employer: _____
Address: _____
Supervisor: _____ Phone: _____
Employed (month & year) From: _____ To: _____ Full Time <input type="checkbox"/> Part Time <input type="checkbox"/>
Salary: Start: \$ _____ End: \$ _____
Reason for Leaving: _____
Job title(s) & duties: _____
_____
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_____
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_____

## EMPLOYMENT HISTORY (continued)

Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Supervisor: \_\_\_\_\_ Phone: \_\_\_\_\_  
Employed (month & year) From: \_\_\_\_\_ To: \_\_\_\_\_ Full Time ☐ Part Time ☐  
Salary: Start: \$ \_\_\_\_\_ End: \$ \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_  
Job title(s) & duties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Supervisor: \_\_\_\_\_ Phone: \_\_\_\_\_  
Employed (month & year) From: \_\_\_\_\_ To: \_\_\_\_\_ Full Time ☐ Part Time ☐  
Salary: Start: \$ \_\_\_\_\_ End: \$ \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_  
Job title(s) & duties: \_\_\_\_\_  
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\_\_\_\_\_

Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Supervisor: \_\_\_\_\_ Phone: \_\_\_\_\_  
Employed (month & year) From: \_\_\_\_\_ To: \_\_\_\_\_ Full Time ☐ Part Time ☐  
Salary: Start: \$ \_\_\_\_\_ End: \$ \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_  
Job title(s) & duties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If you need more room, copy page and attach to application.**

## QUALIFICATIONS

17. Please explain how your education, training and experience qualify you for the position of Magistrate (Justice of the Peace) as it is described in the *Job Description* included with this application.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**Attach additional pages if needed.**

## RELEASE OF EMPLOYMENT INFORMATION

*Before signing, please read the following statements carefully and answer the questions.*

**Child Support Compliance:** State law requires that information on all hires (i.e., name, address, social security number, and date of hire) be reported to the State for the purpose of locating persons who owe family support. The Division of Child Support Enforcement is authorized to request additional employment and identifying information under special circumstances. Applicants will not be disqualified from employment based on this information.

**Direct Deposit:** As a condition of employment, direct deposit of paychecks is required for all new employees.

**Reference Check:** Prior to appointment, education and employment history are subject to verification. At the time of a selection interview, applicants may be required to provide copies of certificates, licenses, diplomas, and course transcripts.

**Veterans:** Applicants claiming status as a veteran, or the un-remarried widow or widower of a deceased veteran, shall attach a copy of their DD214 form. Applicants claiming status as a disabled veteran or un-remarried widow or widower of a deceased disabled veteran shall include their VA disability letter and claim number.

**Reasonable Accommodations:** Applicants with disabilities should call 302-739-5458 to request an auxiliary aid or service. TDD users should call the Delaware Relay Service Number 1-800-232-5460 for assistance.

**Immigration Law:** At the time of hire, employees must meet the documentation requirements of the Immigration Reform and Control Act of 1986. The State of Delaware requires verification of identity and eligibility for employment in the United States. Are you lawfully permitted to work in the United States beyond a temporary period without employment based sponsorship? Yes ☐ No ☐

**Selective Service:** If you are a male, born after January 1, 1960, have you registered for Selective Service, if required to register (proof of registration may be required)? Yes ☐ No ☐

**Convictions:** Have you ever been convicted of a felony or Class A Misdemeanor? Yes ☐ No ☐ If yes, identify type of offense, date, and location. \_\_\_\_\_

Are you are present State of Delaware employee? Yes ☐ No ☐

Are you are past State of Delaware employee? Yes ☐ No ☐

I understand that as an employee of the Judicial Branch, I will be required to pass a criminal background check as a condition of employment. Information provided on this application may be verified, including but not limited to, contacting former employers. Any false or substantive omission of information may be cause for rejection or, if currently a State employee, dismissal. I authorize the release of any information from previous employers or references. If I am a current or former employee of the State of Delaware, I acknowledge that my personnel records shall be subject to review by the hiring agency. By checking the signature box below and/or affixing my signature to this document, I certify that I have read and understand the conditions of employment. I also certify that this application was completed by me, that all entries on it are true, and that I seek employment under these conditions.

Check here: ☐

APPLICANT SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Return this application to The Governor's Magistrate Screening Committee prior to the date on the job announcement/advertisement.



**The Delaware Judiciary**

**An Equal Opportunity and Affirmative Action Employer**

## VOLUNTARY AFFIRMATIVE ACTION STATEMENT

It is the policy of the State of Delaware to assure equal and fair treatment in all aspects of employment opportunity for minorities, women, Vietnam Era Veterans and disabled Veterans, people with physical or mental disabilities, and persons above the age of forty. Please provide the following information. This page will be detached from your application and will not be used for employment decisions. Accommodations are available for applicants with disabilities in all phases of the application and employment process. To request an auxiliary aid or service please call 302-739-5458. TDD users should call the Delaware Relay Service number at 1-800-232-5460 for assistance.

Job applied for: Magistrate (Justice of the Peace)

Date of Birth: \_\_\_\_\_

Sex: Male ☐ Female ☐

Race/Ethnicity:

- ☐ Alaskan Native
- ☐ American Indian
- ☐ Asian
- ☐ Black
- ☐ Hispanic
- ☐ Other
- ☐ Pacific Islander
- ☐ White

Please direct any questions to:

Equal Employment Opportunity/Affirmative Action  
Program Administrator  
Office of Human Resource Management  
(302) 577-8977





**STATE OF DELAWARE**  
**THE GOVERNOR'S MAGISTRATE SCREENING COMMITTEE**  
**JUSTICE OF THE PEACE QUESTIONNAIRE**

Please type or print clearly in black ink.

1. Full Name: \_\_\_\_\_

2. Office Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State Zip Code

3. Home Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City **DELAWARE** State Zip Code County: \_\_\_\_\_

4. Birthplace: \_\_\_\_\_ 5. Birthdate: \_\_\_\_\_

6. Are you registered to vote in Delaware? Yes ☐ No ☐

7. Marital Status: \_\_\_\_\_

8. If married, spouse's full name (include maiden name where appropriate): \_\_\_\_\_

9. Full name and age of each child: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Enter all places of residence for past ten years:

CITY AND STATE	APPROXIMATE DATES

11. Enter all schools attended:

SCHOOL NAME	DATES ATTENDED	DEGREE

12. Do you have any professional admissions? Yes ☐ No ☐ If yes, enter types of admissions and dates: \_\_\_\_\_  
\_\_\_\_\_

13. Enter all *current* business or professional partners, associates or employers:

NAME	DATES

14. Have you held public office? Yes ☐ No ☐ If yes, enter office(s) and dates held: \_\_\_\_\_

\_\_\_\_\_

15. Have you belonged to professional organizations? Yes ☐ No ☐ If yes, enter organizations, including offices held:

\_\_\_\_\_

\_\_\_\_\_

16. Have you belonged to civic organizations? Yes ☐ No ☐ If yes, enter organizations, including offices held:

\_\_\_\_\_

\_\_\_\_\_

17. Vocational interests and hobbies: \_\_\_\_\_

\_\_\_\_\_

18. Have you undergone treatment for emotional illness, addiction to drugs or alcohol within the past two years?

Yes ☐ No ☐ If yes, state dates and treatment facilities: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

19. Do you have any business interests or commitments which would conflict with your position as Justice of the Peace?

Yes ☐ No ☐ If yes, explain in detail: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

20. Have you ever been charged with driving under the influence of alcohol or any misdemeanor or felony other than a minor traffic offense? Yes ☐ No ☐ If yes, describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How was it resolved? \_\_\_\_\_

21. Have you ever been party to a lawsuit? Yes ☐ No ☐ If yes, explain in detail: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

22. Have you ever filed for bankruptcy? Yes ☐ No ☐ If yes, when: \_\_\_\_\_

23. To your knowledge, are there any circumstances in your professional or personal life which would create questions as to your qualifications to serve in the judicial position involved or interfere with your ability to serve? Yes ☐ No ☐  
If yes, explain in detail: \_\_\_\_\_

24. Are you aware that this is a full-time job (40 hours minimum per week) with three different shifts, 24 hours per day, and that work on weekends and holidays will be necessary? Yes ☐ No ☐

25. Are you aware that the salary for this position is \$70,750 per year, without cost of living increases or reimbursement for expenses, and that some travel within your county will be necessary? Yes ☐ No ☐

26. Are you aware that the first term of Magistrate is for four years and, if appointed, you would be expected to serve for that term? Yes ☐ No ☐

27. Do you have a Delaware driver's license? Yes ☐ No ☐ If yes, enter number: \_\_\_\_\_

28. Are any of your spouses, former spouses, children, parents, brothers or sisters *currently* employed in the Delaware court system? Yes ☐ No ☐ If yes, state name, relationship and position held: \_\_\_\_\_

29. Have you previously applied for the position of Justice of the Peace in Delaware? Yes ☐ No ☐ If yes, what was the result of that application? \_\_\_\_\_

30. List five references in the table below:

NAME	ADDRESS	PHONE

***Read the following information carefully before signing.***

Submission of this questionnaire expresses my willingness to accept appointment to be a Justice of the Peace if tendered by the Governor. I affirm that this application contains no willful misrepresentation or falsifications and that information I have given is true and complete to the best of my knowledge and belief. I am aware that, if an investigation at any time discloses any misrepresentations or falsifications, my application will be rejected and my name removed from the roster of eligibles.

**MEDICAL WAIVER AND CONSENT**

The undersigned applicant hereby waives the physician-patient privilege of confidentiality, does hereby consent that the Governor's Magistrate Screening Committee may examine and copy any and all medical records bearing upon his/her present state of health in the custody of any physician or health care agency, and hereby authorizes the Governor's Magistrate Screening Committee to obtain from the applicant's physician(s), a full report of the applicant's present physical condition, and further authorizes said physician(s) to prepare and release such report to the Committee.

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

The undersigned, upon oath, deposes and states as follows: that he/she is the person whose signature appears hereinabove on the instrument entitled MEDICAL WAIVER AND CONSENT; that he/she has read the same and is aware of the content thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that he/she executed the same freely and voluntarily.

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_.

NOTARY PUBLIC: \_\_\_\_\_

SEAL

**WAIVER OF CONFIDENTIALITY**

**LAW ENFORCEMENT, PROFESSIONAL DISCIPLINARY BODIES, JUDICIAL DISCIPLINARY BODIES**

The undersigned applicant hereby waives the benefits of any statute, rule or regulation prescribing confidentiality of records of any State or federal law enforcement agency, any administrative or disciplinary committee of the State of Delaware, including, but not limited to, the Board of Professional Responsibility of the Supreme Court and the Board of Bar Examiners of the Supreme Court and the Court on the Judiciary of the State of Delaware; and does authorize each such agency to transmit any minute, record, transcript or other material pertaining to him/her to the Governor's Magistrate Screening Committee and does hereby release and discharge the Governor's Magistrate Screening Committee, its individual members as now or hereafter constituted, any such law enforcement agency or members thereof, including, but not limited to, the Board of Professional Responsibility of the Supreme Court and the Board of Bar Examiners of the Supreme Court and the Court on the Judiciary as now or hereafter constituted, of and from all claims, demands, liability and damages in any way arising out of the release and use of information concerning the applicant on file with any of the said bodies.

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

The undersigned, upon oath, deposes and states as follows: that he/she is the person whose signature appears hereinabove on the instrument entitled WAIVER OF CONFIDENTIALITY; that he/she has read the same and is aware of the content thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that he/she executed the same freely and voluntarily.

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_.

NOTARY PUBLIC: \_\_\_\_\_

SEAL

# JUSTICE OF THE PEACE (MAGISTRATE)

## JOB DESCRIPTION

*(This description is not all inclusive and is only intended to provide general guidance.)*

### BASIC REQUIREMENTS

Justices of the Peace normally work five 8-hour shifts (with a lunch break) each week, including nights, weekends and holidays (but many may work more, as is required to cover courts). Shifts are normally 8:00 a.m. to 4:00 p.m., 4:00 p.m. to midnight, or midnight to 8:00 a.m. Not all courts are open for all shifts. A Justice of the Peace may be assigned to any court in their county of residence. They are expected to exhibit judicial demeanor and to wear robes in the courtroom.

Justices of the Peace are required to comply with The Delaware Judges' Code of Judicial Conduct, which is a strict code of ethics and includes a prohibition against the appearance of impropriety (as well as any actual impropriety) and prohibits political activity, including campaign contributions.

All Justices of the Peace are appointed for a term of four years subject to reappointment to additional six year terms. The reappointment process is determined by the Governor and the Magistrate Screening Committee and usually consists of reapplying for the position, passing a Screening Committee interview and again being appointed by the Governor and confirmed by the Senate.

### PROFESSIONALISM

Justices of the Peace need to become familiar with court policy, which is found in the more than 200 written **Policy Directives**. There are also more than 250 **Legal Memoranda** providing guidance on legal issues. A Justice of the Peace also needs to learn various areas of the law and procedures, including **Constitutional Law** (DE & U.S.), Delaware **statutory law**, **case law** (the written decisions of higher courts on matters heard in JP Court), the **Delaware Rules of Evidence**, and the **Justice of the Peace Rules**.

New Justices of the Peace are expected to complete a **Beginning Legal Education program** (BLE) which consists of at least 6 weeks of Criminal Court instruction and courtroom monitoring and at least 5 weeks of Civil Court instruction and courtroom monitoring. All Justices of the Peace are expected to participate in **Continuing Legal Education** (CLE), which is offered at various times throughout the year in seminars, classes and conferences.

### CRIMINAL JURISDICTION

Justices of the Peace have authority to **issue criminal warrants** on all criminal charges (from First Degree Murder to Dogs Running at Large) and search warrants, after determining that probable cause exists. They also process traffic summonses.

Justices of the Peace **arraign** (arraignments include explaining constitutional rights, statutory rights and taking pleas) defendants on all charges under their jurisdiction, except for mail-in traffic tickets. They also **conduct presentments** (explain charges, defendant's rights and set bail according to bail guidelines and bond or commit to the Department of Corrections) on all charges under the jurisdiction of other courts.

Justices of the Peace can hold **trials** on all charges under their jurisdiction, which includes all traffic charges, except felonies, and most misdemeanors, some of which can have a maximum fine of

thousands of dollars and/or a jail sentence up to one year. They also hear violations (fine up to \$1,000.00), and county and municipal ordinances, codes or regulations.

Justices of the Peace hold many special proceedings such as extradition hearings on fugitives from other states, contempt hearings on capiases (bench warrants) issued by JP Court, bail hearings on capiases from other courts, violation of probation hearings on JP court cases, and non-compliance hearings.

## **CIVIL JURISDICTION**

Justices of the Peace hear all Landlord and Tenant cases, including those involving eviction, unpaid rent and damages. They also hear all Landlord and Tenant jury trials and appeals of Landlord and Tenant matters (which are to a panel of three Justices of the Peace).

Justices of the Peace can hear debt, trespass (recovery of damages to property), and replevin (return of property actions) actions when the amount claimed is \$15,000 or less. Civil cases require a knowledge of legal research and nearly always require a knowledge of legal writing (both are taught in BLE) as many civil decisions are written.